

REMARKS

In response to the Examiner's Office Action, Paper No./Mail Date 20080327, dated April 9, 2008, Applicant has carefully studied the references cited by the Examiner and the Examiner's comments relative thereto.

Claims 1, 3-5, 8, 14, 15 and 17 have been amended.

Claims 9 and 11 have been cancelled.

Claims 18-22 have been added.

Claims 1-8, 10 and 12-22 remain in the application.

No new matter has been added.

Reconsideration of the application, as amended, is respectfully requested.

35 U.S.C. § 102(a)

The Examiner rejected Claims 1-17 as being anticipated under 35 U.S.C. § 102(a) by U.S. Patent No. 6,542,936 to Mayle et al. for METHOD AND APPARATUS FOR ELECTRONIC POSTCARD COMMUNICATION.

Applicant amended independent Claims 1 and 14 to further define the “input site” as being at a travel location accessible to the sender(s) of electronic postcards (Page 3, Lines 5 and 18-22). Applicant amended independent Claims 1, 8 and 14 to recite transmitting the electronic post card directly to the addressee address (Page 4, Lines 17-20; Page 6, Lines 27-29). Applicant also amended Claim 8 to further define the “at least one input site” as being “one of a gift shop, a hotel front desk, a motel front desk, and a theme park” (Page 3, Lines 19-21). Applicant amended Claim 14 to include a payment device 22 (Fig. 2; Page 4, Lines 24-32). The payment device 22 is also the subject matter of new dependent Claims 18-22.

Applicant's Claim 1 recites step “b) selecting at least one input site remote from the server, wherein the at least one input site is a travel location accessible to a plurality of senders of electronic postcards visiting the travel location”. Applicant's Claim 8 recites step “a) selecting at least one input site and storing a plurality of images related to the at least one input site, wherein the at least one input site is one of a gift shop, a hotel front desk, a motel front desk, and a theme park”. Applicant's Claim 14 recites “b) at least one input located at an input site at a travel location remote from said server means for receiving from a sender visiting the travel location a postcard request including an addressee address and at least one of a sender

message and a selection of a scene related to the travel location of said input site and not provided by the sender”.

The Mayle system identifies a user or client computer **10** separate from a server, but Mayle is silent about the location of the computer **10**. There is no teaching in Mayle that the computer **10** be located at a travel location, or that the computer be accessible to senders visiting the travel location, or that the input site is one of a gift shop, a hotel front desk, a motel front desk, and a theme park.

Mayle describes a system for creating an electronic postcard wherein the postcard is stored on a system server and an e-mail notification including a URL is sent to the addressee. Then the addressee must use the URL in order to view the postcard (Col. 13, Lines 17-28). In contrast, Applicant’s independent Claims 1, 8 and 14 recite that the server sends the electronic postcard directly to the addressee address.

Mayle describes a system wherein a user computer **10** connects to a server system **31** through the web in order to combine user generated text and images with hypertext documents stored on the server to create an electronic postcard (Col. 4, Lines 15-59). The user provides the image data to the system (Col. 2, Lines 39-41; Col. 7, Lines 24-38). In contrast, step b) of Applicant’s Claim 14 recites that the scene is related to the travel location of the input site and is not provided by the sender.

Applicant’s Claims 14 and 18-22 recite a payment device for use by the sender. Mayle does not suggest such a payment device.

With respect to Claim 15, the Examiner stated that “Mayle teaches the apparatus wherein said input device includes means for inputting said message as a handwritten message of the sender (col. 18 (sic), lines 10-29).” However, Mayle discloses that the “text on the back of the card is drawn in a handwriting-style typeface” (see Col. 10, Lines 25-30). The present application discloses “a handwriting device **23** is connected to a port of the CPU **21** for converting a handwritten message into digital form to be incorporated in the electronic postcard” (see Page 5, Lines 1-5). A handwriting device for converting a handwritten message into digital form is not a handwriting-style font and vice versa. In fact, the Mayle reference is devoid of any mention of a handwriting device for converting a handwritten message into digital form. As a result, the Mayle reference cannot properly serve as a basis for rejection of dependent Claim 15 under 35 U.S.C. 102(a) and the claim is patentable.

Accordingly, withdrawal of the rejections under 35 U.S.C. §102(a) is respectfully requested.

The other references cited by the Examiner, but not applied, have been studied and are not considered to be any more pertinent than the references relied upon by the Examiner.

It is submitted that the claims distinctly define the Applicant's invention and distinguish the same from the prior art. Reconsideration of the application, as amended, is respectfully requested. A formal Notice of Allowance is solicited.

While the Applicant's attorney has made a sincere effort to properly define Applicant's invention and to distinguish the same from the prior art, should the Examiner deem that other language would be more appropriate, it is requested that a telephone interview be had with the Applicant's attorney in a sincere effort to expedite the prosecution of the application.